

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

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ENVIRONMENTAL PROTECTION
AGENCY-REGION VII
REGIONAL HEARING CLERK

IN THE MATTER OF:

Lowell Vos

d/b/a Lowell Vos Feedlot

Woodbury County, Iowa


Respondent.

)
)
) Docket No. CWA-07-2007-0078
)
) ORDER ON COMPLAINANT'S
) MOTION FOR DISCOVERY OR
) IN THE ALTERNATIVE MOTION
) IN LIMINE
)

On July 8, 2008, The United States Environmental Protection Agency ("Complainant") filed a motion requesting that the Court issue an order to compel Respondent, Lowell Vos d/b/a Lowell Vos Feedlot ("Respondent") to provide documentation supporting its inability to pay claim. Complainant further requested that if the Respondent fails to provide such documentation within a reasonable time period, then the Presiding Officer should exclude such a defense and documents from the record at hearing.

On July 28, 2008, Respondent filed its Supplemental Prehearing Exchange and Reply to Complainant's Motion for Discovery or in the Alternative Motion in Limine, effectively waiving the ability to pay defense and rendering Complainant's Motion moot.

So Ordered.


William B. Moran
United States Administrative Law Judge

Dated: August 6, 2008
Washington, D.C.

In the Matter of Lowell Vos d/b/a Lowell Vos Feedlot, Respondent.
Docket No. CWA-07-2007-0078

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Order on Motion for Discovery or in the Alternative Motion in Limine**, dated August 6, 2008 was sent in the following manner to the addressees listed below.


Knolyn R. Jones
Legal Staff Assistant

Dated: August 6, 2008

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